

**Notice of Allowability****Application No.**

10/664,348

**Examiner**

George Eng

**Applicant(s)**

REINE, GERALD A.

**Art Unit**

2643

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/30/2004.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 17 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

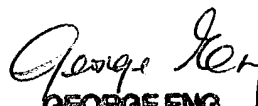
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____.                                               |

  
**GEORGE ENG**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on 7/30/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US PAT. 6,643,360 B1 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Examiner's Statement of Reasons for Allowance***

2. Claims 1-13 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to a method and an apparatus for providing the status of a mailbox by an Internet Service Provider to a calling user before making a connection between the calling user and the Internet Service Provider (i.e., the Internet Service Provider includes a caller ID interface having a caller ID-table for storing caller-ID map entries, each caller-ID map entry comprising a user identification and a password for a client, a caller-ID extract routine for extracting a calling telephone number from a request of the client and searching the caller ID table for a caller-ID map entry containing the calling telephone number, a mail server access routine for receiving the caller-ID map entry and accessing to the client's mailbox in a mail server using user identification and the password corresponding to the caller-ID map entry, and a mailbox status routine for sending a connect message or an alert message depending upon the client mailbox status such that the mailbox routine send the alert message, such as an audible

Art Unit: 2643

ringing tone, to indicate that there is no unread messages in the client mailbox and providing the client an option of terminating the request for connection to the Internet Service Provider before connection charges are incurred, and an option of connecting to the Internet Service Provider even though there is no unread messages).

Applicant's independent claims 1 and 9 each recite, *inter alia*, an apparatus for providing the status of a mailbox by a mail service provider to a calling user before making a connection between the calling user and the mail service provider with a structure as defined in the specification (page 4-8) including a mailbox status routine which alerts the calling user if the status indicates that there is no unread message in the mailbox to allow the calling user to terminate the request for connection before the connection is made, the calling user is connected to the mail service provider after completion of the alert unless the calling user terminates the request for connection. Applicant's independent claims 1 and 9 comprise a particular combination of elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claims 5 and 13 each recite, *inter alia*, alerting the calling user if the indicates that there is no unread message in the mailbox to allow the calling user to terminate the request for connection before the connection is made, the calling user is connected to the mail service provider after completion of the alert unless the calling user terminates the request for connection. These steps, in combination of the remaining steps, are neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

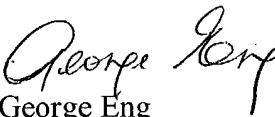
Art Unit: 2643

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
George Eng  
Primary Examiner  
Art Unit 2643